

**REMARKS**

Upon consulting PAIR for the status of this application, Applicant's attorney noticed that the Examiner had sent this application back to the Office of Initial Patent Examination (OIPE) on **June 18, 2009** (attached) because it appears to be missing a Sequence Listing. To date, **November 16, 2009**, OIPE has not yet contacted the attorneys of record indicating that there was any deficiency. However, in advance of being sent a Notice by OIPE, Applicant submits an electronic version of the sequence listing, along with amendments to the specification concerning same.

By this amendment, the specification has been amended to refer to, and incorporate by reference the electronic sequence listing that was submitted via EFS-Web pursuant to 37 C.F.R. §1.52(e)(5). In addition, the specification has also been amended to include sequence identifiers as required by 37 CFR §1.821(c). No new matter has been added by this amendment.

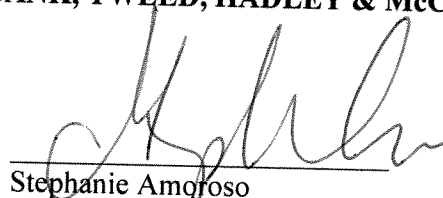
**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 13-3250, reference number 37488.00800. This paragraph is intended to be an **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MILBANK, TWEED, HADLEY & McCLOY LLP**

November 16, 2009

By:

  
Stephanie Amoroso  
Registration No. 51,401

**Customer No. 38647**  
**MILBANK, TWEED, HADLEY & McCLOY LLP**  
1850 K Street, N.W.  
Suite 1100  
Washington, DC 20006  
Tel. No. (202) 835-7525  
Fax No. (202) 835-7586